

**ORDINANCE 2016-30**  
**AN ORDINANCE AMENDING SECTION 31.08 OF THE WARRICK COUNTY**  
**CODE OF ORDINANCES**

**WHEREAS**, Indiana Code §§ 36-1-3 et. seq. grants Warrick County the authority necessary to pass ordinances relating to the conduct of its business affairs, even though not specifically granted by statute; and

**WHEREAS**, the Warrick County Board of Commissioners and its designated purchasing agent are the only entities with authority to bind the County to contracts, and

**WHEREAS**, the purchasing agency for a political subdivision is the person designated by law or by rule of the governmental body, and individuals designated by the purchasing agency are the purchasing agents for the governmental body pursuant to Indiana Code § 5-22-4-5; and

**WHEREAS**, Indiana Code § 5-22-3-3 provides that a governmental body may adopt rules to regulate purchases of the governmental body. That same section further provides that the purchasing agency of a governmental body may establish written policies for purchases made by the purchasing agency; and

**WHEREAS**, Indiana Code § 5-22-6-2 grants the governmental body authority to adopt rules governing the purchase of services for the governmental body; and

**WHEREAS**, with regard to purchase of services, Indiana Code § 5-22-6-1 states that, "The purchasing agency of a governmental body may purchase services using any procedure the governmental body or the purchasing agency of the governmental body considers appropriate."

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY**  
**COMMISSIONERS OF WARRICK COUNTY, INDIANA THAT:**

**Section 31.08 of the Warrick County Code of Ordinances is hereby amended in its entirety to provide as follows:**

**§ 31.08 PURCHASING.**

- (A) The Board of Commissioners hereby determines that it is the purchasing agency for Warrick County.
- (B) The Board hereby designates that the Purchasing Department shall act as the Purchasing Agent for Warrick County. The Purchasing Agent shall be charged with identifying and recommending to the Board of Commissioners those goods and services that would be best and most efficiently purchased for all or any portion of Warrick County and its offices, departments and divisions in addition to those provided for herein. The Board of

Commissioners shall from time to time approve goods and services that shall be purchased on behalf of Warrick County and its offices, departments and divisions as recommended by the Purchasing Agent.

(C) The following are the required purchasing rules for Warrick County:

- (1) Supplies manufactured in the United States shall be specified for all county purchases and shall be purchased unless the county determines that:
  - (a) The supplies are not manufactured in the United States in reasonably available quantities;
  - (b) The prices of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured elsewhere;
  - (c) The quality of the supplies manufactured in the United States is substantially less than the quality of comparably priced available supplies manufactured elsewhere; or
  - (d) The purchase of supplies manufactured in the United States is not in the public interest.
- (2) The Purchasing Agent shall purchase office supplies, services and equipment, including but not limited to printing, photocopying, computing and other supplies, services and equipment as the Board of Commissioners approve from time to time, for Warrick County and its offices, departments and divisions.
- (3) The Purchasing Agent shall purchase motor vehicle fuel or other petroleum based products needed for the motor vehicles owned, operated and controlled by Warrick County and its offices, departments and divisions.
- (4) The Purchasing Agent shall provide notice and bid information as may be required by Indiana law for goods or services the Purchasing Agent recommends to be purchased by Warrick County, or utilize any procedure otherwise authorized by Indiana law for the selection of goods and services to be purchased for Warrick County and approved by the Board of Commissioners.
- (5) Purchasing agreements and/or contracts recommended by the Purchasing Agent and approved by the Board of Commissioners shall bind all County offices, departments and divisions unless specifically provided otherwise by statute.

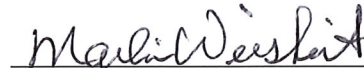
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Passed and adopted by the Warrick County Board of Commissioners this  
12<sup>th</sup> day of December, 2016.


WARRICK COUNTY  
BOARD OF COMMISSIONERS

  
Don Williams, President

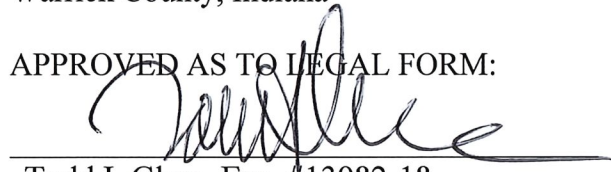
Richard Reid, Vice President

  
Marlin Weisheit, Commissioner

ATTEST:

  
Deborah K. Stevens, Auditor  
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

  
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